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## NOTICE OF ALLOWANCE AND FEE(S) DUE

76661 7590 09/17/2008

DAVID A. DAGG, ESQ.  
44 CHAPIN ROAD  
NEWTON, MA 02459

EXAMINER

LAZARO, DAVID R

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 09/17/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/707,280

11/06/2000

Stephen S. Jackson

120-202

8450

TITLE OF INVENTION: SYSTEM, DEVICE, AND METHOD FOR PROVIDING PERSONALIZED SERVICES IN A COMMUNICATION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	12/17/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

76661 7590 09/17/2008

DAVID A. DAGG, ESQ.  
44 CHAPIN ROAD  
NEWTON, MA 02459

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/707,280 11/06/2000 Stephen S. Jackson 120-202 8450

TITLE OF INVENTION: SYSTEM, DEVICE, AND METHOD FOR PROVIDING PERSONALIZED SERVICES IN A COMMUNICATION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1440 \$0 \$0 \$1440 12/17/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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LAZARO, DAVID R 2155 709-221000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/707,280	11/06/2000	Stephen S. Jackson	120-202	8450
76661	7590	09/17/2008	EXAMINER	
DAVID A. DAGG, ESQ. 44 CHAPIN ROAD NEWTON, MA 02459			LAZARO, DAVID R	
			ART UNIT	PAPER NUMBER
			2155	
DATE MAILED: 09/17/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1320 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1320 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/707,280	JACKSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	DAVID LAZARO	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 05/16/08.
2. ☒ The allowed claim(s) is/are 1-3,5-7,9-12,14-23,25,26,28-47,49-68,71-73 and 75.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/David Lazaro/  
Primary Examiner, Art Unit 2155  
September 11, 2008

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Dagg (37,809) on 09/09/08.

The application has been amended as follows:

Please cancel claims 4, 8, 13, 24, 27, 48, 74, 76 and 77 without prejudice.

Please amend the claims as indicated below.

1. (currently amended) A method for providing a personalized service in a communication system, the method comprising:

detecting physical presence of a user and identifying the user by a data appliance gateway, wherein the detecting includes a determination, based on automatic detection of at least one physical attribute of the user's body directly from the user's body, that the user is currently in close physical proximity to the communication system;

identifying a plurality of devices that are within a personal area of the user;

creating, responsive to the detection of the physical presence of the user and the identification of the plurality of devices, a personal area network for the user including [[a]] the plurality of devices identified within [[a]] the personal area of the user, wherein

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the personal area network is created and managed by the data appliance gateway and the creating further comprises:

obtaining user-specific information based upon the identity of the user;

configuring features of the identified devices within the personal area

network based upon the obtained user-specific information; and

~~providing the personalized service to the user within the personal area network based upon the physical presence of the user~~

using the data appliance gateway to provide the personalized service to the user within the personal area network based upon the physical presence of the user and the obtained user-specific information.

2. (original) The method of claim 1, wherein detecting the physical presence of the user comprises:

using a detector to detect the physical presence of the user.

3. (currently amended) The method of claim 1, wherein detecting the physical presence of the user comprises:

using a detector in combination with the ~~an~~ appliance gateway to detect the physical presence of the user.

4. (cancelled)

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5. (original) The method of claim 1, wherein detecting physical presence of the user comprises:

identifying the user.

6. (currently amended) The method of claim 1 [[5]], wherein identifying the user comprises:

identifying the user based upon biometric information.

7. (previously presented) The method of claim 5, wherein providing the personalized service to the user based upon the physical presence of the user comprises:

providing the personalized service to the user based upon the identity of the user.

8. (cancelled)

9. (currently amended) The method of claim 1 [[8]], wherein the user-specific information comprises at least one of:

per-user rules;

user-defined rules;

user preferences; and

user applications.

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10. (currently amended) The method of claim 1 [[8]], wherein obtaining user-specific information based upon the identity of the user comprises at least one of:

- retrieving the user-specific information from a local storage of an appliance gateway;

- retrieving the user-specific information from the device;

- retrieving the user-specific information from another device; and retrieving the user-specific information from a remote storage over a communication network.

11. (currently amended) The method of claim 1 [[8]], wherein obtaining user-specific information based upon the identity of the user comprises:

- logically inferring some user-specific information from other user-specific information.

12. (previously presented) The method of claim 7, wherein providing the personalized service to the user based upon the identity of the user comprises at least one of:

- obtaining information for the user;

- anticipating needs of the user and providing said needs;

- updating user preference information;

- simplifying device control for the user;

- handling a user schedule; and

- providing reminders to the user.



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13. (cancelled)

14. (currently amended) The method of claim 1 [[13]], wherein providing the personalized service to the user within the personal area network comprises:

providing information to the user within the personal area network.

15. (currently amended) The method of claim 1 [[13]], wherein providing the personalized service to the user within the personal area network comprises:

monitoring a supported device within the personal area network.

16. (currently amended) The method of claim 1 [[13]], wherein providing the personalized service to the user within the personal area network comprises:

monitoring the user within the personal area network.

17. (currently amended) The method of claim 1 [[13]], wherein providing the personalized service to the user within the personal area network comprises:

maintaining a schedule for the user; and

providing a reminder to the user within the personal area network.

18. (currently amended) The method of claim 1 [[13]] wherein providing the personalized service to the user within the personal area network comprises:

retrieving information for the user over a communication network.

19. (currently amended) The method of claim 1 [[13]], wherein providing the personalized service to the user within the personal area network comprises:  
determining a user preference for a supported device.

20. (original) The method of claim 19, wherein providing the personalized service to the user within the personal area network further comprises:  
updating user preference information to include the user preference for the supported device.

21. (currently amended) An apparatus comprising:

a processor executing instructions stored in a memory, the instructions comprising:

user detection logic operably coupled to detect physical presence of a user and identify the user, wherein the user detection logic detects that the user is currently in close physical proximity to the communication system based on automatic detection of at least one physical attribute of the user's body directly from the user's body;

personal area network logic to identify a plurality of devices that are within a personal area of the user, ~~responsive to detection of the physical presence of the user~~ create and manage, responsive to detection of the physical presence of the user and the identification of the plurality of devices within the personal area of the user, a personal area network for the user including [[a]] the plurality of devices identified within

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the [[a]] personal area of the user, obtain user-specific information based upon the identity of the user, and configure features of the identified devices within the personal area network based upon the obtained user-specific information; and

personal agent logic responsive to the user detection logic and operably coupled to provide personalized services to the user within the personal area network based upon the physical presence of the user and the obtained user-specific information.

22. (original) The apparatus of claim 21, wherein the user detection logic comprises a detector for detecting the physical presence of the user.

23. (original) The apparatus of claim 21, wherein the user detection logic is coupled to a detector for detecting the physical presence of the user.

24. (cancelled)

25. (previously presented) The apparatus of claim 21 ~~[[24]]~~, wherein the user detection logic is operably coupled to identify the user based upon biometric information.

26. (currently amended) The apparatus of claim 21 ~~[[24]]~~, wherein the personal agent logic is operably coupled to provide the personalized service to the user based upon the identity of the user.

27. (cancelled)

28. (currently amended) The apparatus of claim 21 [[27]], wherein the user-specific information comprises at least one of:

- per-user rules;
- user-defined rules;
- user preferences; and
- user applications.

29. (currently amended) The apparatus of claim 21 [[27]], wherein the personal agent logic is operably coupled to retrieve the user-specific information from at least one of:

- a local storage;
- a supported device; and
- a remote storage over a communication network.

30. (currently amended) The apparatus of claim 21 [[27]], wherein the personal agent logic is operably coupled to logically infer some user-specific information from other user-specific information.

31. (original) The apparatus of claim 26, wherein the personal agent logic is operably coupled to obtain information for the user.

32. (previously presented) The apparatus of claim 26, wherein the personal agent logic is operably coupled to anticipate needs of the user.

33. (original) The apparatus of claim 26, wherein the personal agent logic is operably coupled to update user preference information.

34. (original) The apparatus of claim 26, wherein the personal agent logic is operably coupled to simplify device control for the user.

35. (original) The apparatus of claim 26, wherein the personal agent logic is operably coupled to handle a user schedule.

36. (original) The apparatus of claim 26, wherein the personal agent logic is operably coupled to provide reminders to the user.

37. (previously presented) The apparatus of claim 26, wherein the personal area network logic is operably coupled to create the personal area network for the user based upon the identity of the user.

38. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to provide information to the user within the personal area network.

39. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to monitor a supported device within the personal area network.

40. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to monitor the user within the personal area network.

41. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to maintain a schedule for the user and provide a reminder to the user within the personal area network.

42. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to retrieve information for the user over a communication network.

43. (original) The apparatus of claim 37, wherein the personal agent logic is operably coupled to determine a user preference for a supported device.

44. (original) The apparatus of claim 43, wherein the personal agent logic is operably coupled to update user preference information to include the user preference for the supported device.

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45. (currently amended) A computer program product including a computer readable medium, the computer readable medium having a computer program stored thereon for controlling a computer system, the computer program comprising:

user detection logic programmed to detect physical presence of a user and identify the user, wherein the user detection logic detects that the user is currently in close physical proximity to the computer system based on automatic detection of at least one physical attribute of the user's body directly from the user's body;

personal area network logic to identify a plurality of devices that are within a personal area of the user, ~~responsive to detection of the physical presence of the user~~, create and manage, responsive to detection of the physical presence of the user and the identification of the plurality of devices within the personal area of the user,[[create]] a personal area network for the user including the [[a]] plurality of devices identified within the [[a]] personal area of the user, obtain user-specific information based upon the identity of the user, and configure features of the identified devices within the personal area network based upon the obtained user-specific information; and

personal agent logic responsive to the user detection logic and programmed to provide personalized services to the user within the personal area network based upon the physical presence of the user and the obtained user-specific information.

46. (previously presented) The computer program product of claim 45, wherein the user detection logic comprises a detector for detecting the physical presence of the user.

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47. (previously presented) The computer program product of claim 45, wherein the user detection logic is coupled to a detector for detecting the physical presence of the user.

48. (cancelled)

49. (currently amended) The computer program product of claim 45 [[48]], wherein the user detection logic is programmed to identify the user based upon  
biometric information.

50. (currently amended) The computer program product of claim 45 [[48]], wherein the personal agent logic is programmed to provide the personalized service to the user based upon the identity of the user.

51. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to obtain user-specific information based upon the identity of the user and provide the personalized service to the user based upon the user-specific information.

52. (previously presented) The computer program product of claim 51, wherein the user-specific information comprises at least one of:

per-user rules;

user-defined rules;



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user preferences; and  
user applications.

53. (previously presented) The computer program product of claim 51, wherein the personal agent logic is programmed to retrieve the user-specific information from at least one of:

a local storage;  
a supported device; and  
a remote storage over a communication network.

54. (previously presented) The computer program product of claim 51, wherein the personal agent logic is programmed to logically infer some user-specific information from other user-specific information.

55. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to obtain information for the user.

56. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to anticipate needs of the user and provide said needs.

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57. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to update user preference information.

58. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to simplify device control for the user.

59. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to handle a user schedule.

60. (previously presented) The computer program product of claim 50, wherein the personal agent logic is programmed to provide reminders to the user.

61. (previously presented) The computer program product of claim 50, wherein the personal area network logic is programmed to establish the personal area network for the user based upon the identity of the user.

62. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to provide information to the user within the personal area network.

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63. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to monitor a supported device within the personal area network.

64. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to monitor the user within the personal area network.

65. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to maintain a schedule for the user and provide a reminder to the user within the personal area network.

66. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to retrieve information for the user over a communication network.

67. (previously presented) The computer program product of claim 61, wherein the personal agent logic is programmed to determine a user preference for a supported device.

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68. (previously presented) The computer program product of claim 67, wherein the personal agent logic is programmed to update user preference information to include the user preference for the supported device.

69. (cancelled)

70. (cancelled)

71. (currently amended) A system for providing personalized services, the system comprising

a gateway operably coupled to

detect physical presence of a user,

identify the user,

identify a plurality of devices within a personal area of the user,

create a personal area network for the user including the plurality of devices identified within a personal area of the user responsive to the detection of the physical presence of the user and the identification of the plurality of devices,

obtain user-specific information based upon the identity of the user,

configure features of the identified devices within the personal area network based upon the obtained user-specific information, and to

provide personalized services to the user within the personal area network based upon the physical presence of the user and the obtained user-specific information,

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wherein the gateway detects that the user is currently in close physical proximity to the gateway based on automatic detection of at least one physical attribute of the user's body directly from the user's body.

72. (original) The system of claim 71, further comprising a physical presence detector in communication with the gateway for providing physical presence information to the gateway.

73. (original) The system of claim 71, wherein the gateway is operably coupled to determine an identity of the user based upon the physical presence of the user and provide the personalized services to the user based upon the identity of the user.

74. (cancelled)

75. (currently amended) The system of claim 71 [[74]], wherein the gateway is operably coupled to obtain the user-specific information from at least one of:

- a local storage of the computer system;
- a supported device of the computer system; and
- a remote storage over a communication network.

End of Examiner's Amendment

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***Reasons for Allowance***

2. Claims 1-3, 5-7, 9-12, 14-23, 25, 26, 28-47, 49-68, 71-72 and 75 are allowed.

3. The following is an examiner's statement of reasons for allowance: The primary reasons for allowance is the inclusion of the following limitations in each of the independent claims which are directed towards providing personalized service in a communication system:

“ ...wherein the personal area network is created and managed by the data appliance gateway and the creating further comprises:

obtaining user-specific information based upon the identity of the user;

configuring features of the identified devices within the personal area network based upon the obtained user-specific information; and

using the data appliance gateway to provide the personalized service to the user within the personal area network based upon the physical presence of the user and the obtained user-specific information.” (as from claim 1, similar subject matter in each remaining independent claim)

This subject matter is not found in the prior art nor is it obvious in view of the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Further Comments***

4. The amendment to the specification is accepted by the examiner.
5. The examiner withdraws the rejection of claims 45-68 under 35 USC 101 based on applicants amendment to the specification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID LAZARO whose telephone number is (571)272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Lazaro/

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Primary Examiner, Art Unit 2155  
September 11, 2008